

AMENDED IN ASSEMBLY MAY 17, 2007

AMENDED IN ASSEMBLY APRIL 26, 2007

AMENDED IN ASSEMBLY APRIL 11, 2007

AMENDED IN ASSEMBLY MARCH 27, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 976

Introduced by Assembly Member Charles Calderon
(Coauthors: Assembly Members Arambula, Coto, De Leon,
Hernandez, Mendoza, Saldana, Solorio, Soto, and Torrico)
(Coauthors: Senators Cedillo and Padilla)

February 22, 2007

An act to add Section 1940.3 to the Civil Code, relating to tenancy.

LEGISLATIVE COUNSEL'S DIGEST

AB 976, as amended, Charles Calderon. Tenancy: tenant's characteristics.

Existing law regulates the terms and conditions of residential tenancies. Existing law requires, among other things, that a dwelling unit be fit for human occupation, and prohibits a landlord from engaging in certain activities, including threats and extortion, to influence a tenant to vacate.

This bill would prohibit a city, county, or city and county from requiring a landlord to, among other things, compile, disclose, report, provide, or otherwise take any action regarding a tenant or a prospective tenant based on the immigration or citizenship status of that tenant. The bill would also prohibit a landlord from independently performing any of these acts. The bill would specify that these provisions do not prohibit

a landlord from complying with any ~~conflicting~~ federal law *or from requesting information necessary to determine or verify identity or financial qualifications.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1940.3 is added to the Civil Code, to
2 read:

3 1940.3. (a) No city, county, or city and county shall, by statute,
4 ordinance, or regulation, or by administrative action implementing
5 any statute, ordinance, or regulation, compel a landlord or any
6 agent of the landlord to make any inquiry, compile, disclose, report,
7 or provide any information, prohibit offering or continuing to offer,
8 accommodations in the property for rent or lease, or otherwise
9 take any action regarding or based on the immigration or
10 citizenship status of a tenant, prospective tenant, occupant, or
11 prospective occupant of residential rental property.

12 (b) No landlord or any agent of the landlord shall do any of the
13 following:

14 (1) Make any inquiry regarding or based on the immigration or
15 citizenship status of a tenant, prospective tenant, occupant, or
16 prospective occupant of residential rental property.

17 (2) Require that any tenant, prospective tenant, occupant, or
18 prospective occupant of the rental property make any statement,
19 representation, or certification concerning his or her immigration
20 or citizenship status.

21 (c) Nothing in this section shall prohibit a landlord from
22 ~~complying~~ *either:*

23 (1) *Complying with any ~~conflicting~~ legal obligation under federal*
24 *law.*

25 (2) *Requesting information or documentation necessary to*
26 *determine or verify the financial qualifications of a prospective*
27 *tenant, or to determine or verify the identity of a prospective tenant*
28 *or prospective occupant.*